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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 09/960,182 | 09/20/2001 | Kha Diep | | 4571 |

7590 10/18/2005
Matthew J. Peirce, Esq.
1550 Starlight Canyon Avenue
Las Vegas, NV 89123

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OIPE/IAP

NOV 29 2005

EXAMINER

CHOWDHURY, SUMAIYA A

ART UNIT PAPER NUMBER

2611

DATE MAILED: 10/18/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | | |
|------------------------------|---|----------------------------------|--|
| Office Action Summary | Application No. 09/960,182 | Applicant(s) DIEP, KHA | |
| | Examiner Sumaiya A. Chowdhury | Art Unit 2611 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date ____ | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-3, and 6, are rejected under 35 U.S.C. 103(a) as being unpatentable over Hylton (5708961) in view of Edson (6526581).

As for claim 1, Hylton discloses a wireless cable system for transmitting audio and video signals within a residence (536 - Fig. 8B) comprising:

(a) a main transmitter box (10 - Fig. 1, 10₂ - Fig. 8B), the main transmitter box including at least one coaxial cable input (540 - Fig. 8B, col. 32, lines 57-61, col. 36, lines 13-16), the main transmitter box further including at least one audio/video output (27 - Fig. 1, col. 6, lines 18-26), the main transmitter box having an incorporated transmitter (21 & 27 - Fig. 1, col. 6, lines 18-26) capable of transmitting audio and video signals via low band signal, the audio and video signals being received from an input source connected to the coaxial cable input (col. 8, lines 24-30, col. 3, lines 18-26); (The transmitter transmits audio visual signals to the set top terminals via radio frequency in the 50-850 MHz range. -col. 5, lines 41-46. This range is low band relative to the 902-908 MHz range discussed in col. 8, lines 29-33.),

(b) a plurality of receivers (100 – Fig. 8B & Fig. 1), each receivers designed to pick up the low band signal emitted by the main transmitter box – (As discussed above in 1(a), the transmitter transmits low band signals which the set top terminal picks up. col. 8, lines 1-3), and

(c) a plurality of television sets (103 – Fig. 1 & Fig. 8B), each television set being hooked up to a receiver, each television set capable of receiving both regularly available television stations and video and audio signals from the transmitter box – col. 8, lines 6-17, col. 4, lines 54-67.

However, Hylton fails to disclose wherein the main transmitter box includes at least three audio/visual inputs.

In an analogous art, Edson discloses wherein the main transmitter box (13 – Fig. 1) includes three audio/visual inputs (15, 17, 19 – Fig. 1; ADSL line (15 – Fig. 1) provides access to the Internet which provides audio/video data to the user. Coaxial cable (17 – Fig. 1) connects the user to a CATV system. Additional link (19 – Fig.1) can connect the user to any additional audio/visual service which the user elects. All three of these lines provide wide area network connections to the user. – col. 5, lines 45-58, col. 6, lines 18-22, col. 6, lines 28-40, col. 6, lines 48-50, col. 6, lines 57-67, col. 10, lines 24-37).

It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify Hylton's system to include three audio/visual inputs, as

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taught by Edson, for the advantage of providing the user with different sources of wide area connections.

As for claim 2, Hylton and Edson disclose wherein the plurality of receivers would preferably comprise at least four receivers. In particular, Hylton discloses wherein four receivers are serviced - col. 5, lines 7-11, col. 12, lines 6-11.

As for claim 3, Hylton and Edson disclose the coaxial cable being connected to the coaxial cable input, the coaxial cable designed to carry cable television signals. In particular, Hylton discloses as shown in Fig. 8B, the coaxial cable is connected to the main transmitter box. The coaxial cable transmits television programming to the main transmitter box to be relayed wirelessly to the set top terminals. - col. 36, lines 1-12, col. 2, lines 62-67, col. 3, lines 1-17.

As for claim 6, Hylton and Edson disclose wherein each television set hooked up to a receiver would be hooked up via a coaxial cable. In particular, Hylton discloses wherein the RF output of the modulator (139 – Fig. 4) is connected via coaxial cable to the television set – col. 16, lines 25-30.

3. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hylton in view of Edson as applied to claim 3 above, and further in view of Kahn (5978649).

As for claim 4, Hylton fails to disclose wherein the main transmitter box would further include the capability to perform an automatic channel screening to exclude the possibility of an individual choosing a station not available in a particular geographic area.

In an analogous art, Kahn discloses wherein the microprocessor (42 – Fig. 3) of a terminal (38 – Fig. 3; main transmitter box) blacks out reception of a particular channel for all receiver units (26 – Fig. 2) in a particular zip code (geographic area) such that the user is denied access for a particular channel which the user is not authorized to access based on the user's geographic location – col. 5, lines 24-43, lines 50-67, col. 6, lines 1-6.

It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify Hylton's system to include wherein the main transmitter box would further include the capability to perform an automatic channel screening to exclude the possibility of an individual choosing a station not available in a particular geographic area, as taught by Kahn, for the advantage of denying access for a particular channel which the user is not authorized to access based on his/her geographic location.

4. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hylton in view of Edson as applied to claim 1 above, and further in view of Crawford (5418526).

As for claim 5, Hylton fails to disclose wherein each receiver would further include a self-timer and a sleep function, with the self-timer and sleep function on each receiver being controlled by the main transmitter box:

In an analogous art, Crawford discloses wherein the slave bus controller circuit (102 – Fig. 1; receiver) includes a sleep timer (198 – Fig. 3; sleep function) and a time-out counter (self-timer). The main transmitter (106 – Fig. 1) transmits information over the network to the slave bus controller circuit (receiver). If there is no network activity for the time period defined by the sleep timer, the RC oscillator is turned off such that the slave bus controller circuit will “sleep” until activity is once again encountered on the network (104 – Fig. 3) for the advantage of conserving power – col. 8, lines 3-16, col. 2, lines 65-67.

It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify Hylton's system to include wherein each receiver would further include a self-timer and a sleep function, with the self-timer and sleep function on each receiver being controlled by the main transmitter box, as taught by Crawford, for the advantage of conserving power at the receiver end.

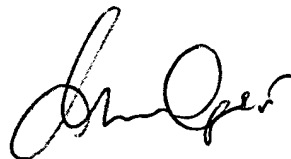
Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sumaiya A. Chowdhury whose telephone number is (571) 272-8567. The examiner can normally be reached on Mon-Fri, 9-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris Grant can be reached on (571) 272-7292. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

SAC



**CHRISTOPHER GRANT
SUPERVISORY PATENT EXAMINER
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| Substitute for form 1449A/PTO | | | | Complete if Known | |
| INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary) | | | | Application Number | |
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| | | | | First Named Inventor | Kha Diep |
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Levin Co.

Considered

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¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

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| Notice of References Cited | Application/Control No. 09/960,182 | Applicant(s)/Patent Under Reexamination DIEP, KHA | |
| | Examiner Sumaiya A. Chowdhury | Art Unit 2611 | Page 1 of 1 |

U.S. PATENT DOCUMENTS

| * | | Document Number Country Code-Number-Kind Code | Date MM-YYYY | Name | Classification |
|---|---|--|-----------------|---------------------|----------------|
| | A | US-5,708,961 | 01-1998 | Hylton et al. | 725/81 |
| | B | US-5,418,526 | 05-1995 | Crawford, Robert D. | 370/464 |
| | C | US-5,978,649 | 11-1999 | Kahn, Raynold M. | 725/25 |
| | D | US-6,526,581 | 02-2003 | Edson, Richard | 725/74 |
| | E | US- | | | |
| | F | US- | | | |
| | G | US- | | | |
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NON-PATENT DOCUMENTS

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*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)
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